

REMARKS

Claims 1-3, 5-7, 9-14, 16-18, 20-23, 25-29, 31, 32 and 34 are pending in this application. The December 04, 2003 Office Action segregated the claims into three types of surgical knives and two distinct methods. Claim 1-3, 5-7, 9, 12-14, 16-18 and 20 were identified as being directed to Group I for a knife with detents and radiopaque indicia. Claims 10-11 were identified as being directed to Group II for a cable actuated needle knife and Claims 21-26 were identified as being directed to Group III for a knife with visual indicia. In addition, Claims 27-29 and 31-32 were identified as being directed to Method A of using a knife with detents and radiopaque indicia and Claim 34 was identified as being directed to Method B of restraining a surgical blade.

In accordance with 35 U.S.C. 121 applicant has elected to continue prosecution on the merits of Group I and the claims associated with Method A. Accordingly, Claims 1-3, 5-7, 9, 12-14, 16-18, 20, 27-29 and 31-32 were readable thereon to these elections. Claims 10-11, 21-23, 25-26 and 34 were withdrawn without prejudice from further consideration by the examiner as being drawn to a non-elected invention.

Additionally, the December 4, 2003 Office Action rejected Claims 1-3, 5-7, 9, 12-14, 16-18, and 20 under 35 U.S.C. 103(a) as being unpatentable over O'Heeron et al. U.S. Patent No. 5,609,604 in view of Ganz et al. U.S. Patent No. 5,810,807. Claims 27-29, 31, and 32 have been allowed. Accordingly, Claims 1-3, 5-7, 9, 12-14, 16-18, and 20 are being cancelled without prejudice to be pursued in a continuation application.

Applicant believes that all pending claims are now in condition for allowance. Should the Examiner have any questions or comments regarding this communication, he may contact the

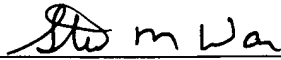
Application No.: 09/963,676

Docket No.: WO-BSX 219

Applicant's representative at the number below. Applicant believes that no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. WO-BSX 219 from which the undersigned is authorized to draw.

Dated: August 23, 2004

Respectfully submitted,

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